

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

Examiner interview

Applicant appreciates the courtesy extended to Applicant's representative during the personal interview conducted on November 25, 2008.

During the interview, the Boucherie '408 patent was discussed. Applicant maintained that the Boucherie '408 patent does not disclose or suggest any details of an end grinding, or other, process which is said to be performed at certain processing stations in the device of Fig. 9. The Examiner suggested that it would be helpful to more clearly describe the method, such as including additional steps, such as moving the underlying vertical support, or varying the end length of the bristles extended from the holder.

In the claims

Claim 1 is amended to more clearly describe a process wherein a bundle of fibers are placed and loosely held in a holder, with far ends of the fibers subjected to an end process, while free ends opposite the far ends rest on an underlying support. The far ends of the fibers are brought into contact with a processing equipment while the fibers are loosely held in the holder, and a length of the far ends between the holder and the processing equipment is varied during the end grinding process. The far ends of the fibers are removed from contact with the processing equipment when the process is complete.

Support for the amended claim is found in the original claims, and at pages 11 and 12 of the original specification.

Additionally, dependent claims are amended for consistency in view of the amendments to claim 1.

Rejection of claims 1, 3, 4, and 12-20 under 35 U.S.C. § 103(a)

Claims 1, 3, 4, and 12-20 presently stand rejected as being unpatentable over Boucherie (U.S. 5,728,408, hereafter Boucherie '408). This rejection is respectfully traversed for at least the following reasons.

It is respectfully submitted that Boucherie '408 fails to disclose or suggest an end grinding process, and in particular Boucherie '408 fails to disclose or suggest an end grinding process wherein fibers are loosely held in a holder during processing, far ends of the fibers are brought into contact with a processing equipment while the fibers are loosely held, and a length of the far ends between the holder and the processing equipment is varied during the end grinding process.

While Boucherie '408 does refer to a grinding operation, which may be performed at one of a number of processing stations of a carousel-like bristle handling device (see col. 7, lines 15-30), Boucherie '408 does not offer any teaching or suggestion of how such a grinding operation is performed. What Boucherie '408 discloses is simply a "step-wise rotating disk 80 which has a number of circumferentially spaced bristle accommodation pockets 82 in its peripheral surface" (Boucherie '408; col. 7, lines 15-17), and "By step-wise rotation of the disk 80, bundles of fibres contained in the pockets 82 are indexed to a number of processing stations 86." (Boucherie '408; col. 7, lines 20-23). None of the processing stations 86 are described, and Boucherie '408 does not describe any end grinding operation.

Because Boucherie '408 is entirely silent on any steps of an end grinding process, it is respectfully submitted that Boucherie '408 does not form a prima facie case of obviousness of the present invention as set forth in claim 1. Accordingly, it is respectfully submitted that claims 1, 2, 4, and 6-20 are all allowable over the cited reference, and withdrawal of the rejection is requested.

Rejection of claims 2, 5, and 6-10 under 35 U.S.C. § 103(a)

Claims 2, 5, and 6-10 presently stand rejected as being unpatentable over Boucherie '408 in view of Zahoransky (U.S. 5,431,484). This rejection is respectfully traversed for at least the following reasons.

As discussed above, Boucherie '408 fails to disclose or suggest, among other elements, an end grinding process wherein fibers are loosely held during such processing and wherein the length of ends of the fibers between a holder and a processing equipment is varied during the end grinding process.

Zahoransky fails to supplement the deficiencies of Boucherie '408. Moreover, Zahoransky teaches away from the present invention since Zahoransky describes an end grinding process and notes specifically that a "**clamping grip 8**, which is connected with a reciprocating cylinder 9, can take hold of the bristle strands and **clamp them securely**, and the bristle strand ends **can then** be conveyed to the grinding device 6 by means of a displacement of the entire forward feed device 7." (Zahoransky; col. 3, line 66 – col. 4, line 3) (emphasis added). Therefore, following the teaching of Zahoransky, a person of ordinary skill in the art would position an end grinding process equipment at one of the processing stations of Boucherie '408's carousel-like bristle handling device, wherein the end grinding process equipment would include a clamping grip 8 as taught by Zahoransky.

Further, while the Examiner has stated that "the fact that [Zahoransky] teaches a clamping device is irrelevant since the examiner is only using the reference for the end rounder" (page 8 of the Office action), Applicant respectfully disagrees. As noted above, Boucherie '408 is entirely silent with regard to how an end grinding process is carried out, stating only that the step-wise rotating disk 80 can move a bundle of fibers from one processing station to the next, and that a processing station can be an end grinding station. Without any further description of how an end grinding station (or end grinding process) actually is carried out, the entirety of Zahoransky is relevant toward the end grinding process itself.

Moreover, it is respectfully submitted that "A prior art reference *must be considered in its entirety*, i.e., as a whole, including portions that would lead away from the claimed invention." *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983)(emphasis added). Accordingly, Applicant respectfully submits that Zahoransky's teaching regarding clamping the fibers during the end grinding process is entirely relevant, and must be considered.

For at least these reasons, it is respectfully submitted that Boucherie '408 and Zahoransky fail to form a prima facie case of obviousness of claim 1, and therefore claims 2, 5, 6, 8, and 10 are allowable over the cited references at least due to their dependency from claim 1. Accordingly, withdrawal of the rejection is requested.

Rejection of claim 11 under 35 U.S.C. § 103(a)

Claim 11 presently stands rejected as being unpatentable over Boucherie '408 and Zahoransky in view of Boucherie (U.S. 6,290,303, hereafter Boucherie '303). This rejection is respectfully traversed for at least the following reasons.

As discussed above, Boucherie '408 and Zahoransky fail to disclose or suggest, among other elements, an end grinding process wherein fibers are loosely held during such processing and wherein the length of ends of the fibers between a holder and a processing equipment is varied during the end grinding process.

It is respectfully submitted that Boucherie '303 fails to supplement the deficiencies of Boucherie '408 and Zahoransky with regard to these elements of claim 1, and therefore claim 11 is allowable at least due to its dependency from claim 1.

In particular, Boucherie '303 does not disclose or suggest that a length of far ends of fibers, between a holder and a processing equipment, is varied during an end grinding process. Boucherie '303 discloses that ejection pins 26 are moved into "openings 3 of the carrier 2 in order to move the fiber bundles 4 into the holder 10, in such a manner that the free extremities of these fiber bundles 4 protrude from the aforementioned openings 27 with an appropriate length." (Boucherie; col. 4, line 66-col. 5, line 3). However,

Boucherie '303 does not disclose or suggest that the length of the free extremities is varied during processing (that is, while the ends are in contact with a processing equipment). Moreover, the fiber ends are not brought "into contact with a processing equipment." Boucherie '303 discloses a process for heating, and melting together, the fiber ends (see Boucherie '303; Fig. 23, and col. 5, lines 42-47). However, there is no contact between the fiber ends and a processing equipment.

For at least these reasons, it is respectfully submitted that Boucherie '408, Zahoransky and Boucherie '303 fail to form a prima facie case of obviousness of claim 1, and therefore claim 11 is allowable at least due to its dependency from claim 1. Accordingly, withdrawal of the rejection is requested.

Rejection of claim 1 under Obviousness-type Double Patenting

Claim 1 presently stands rejected on the ground of nonstatutory obviousness-type double patenting, as being unpatentable over claims 1 and 2 of U.S. 6,372,163 (hereafter Boucherie '163), in view of Boucherie '408. This rejection is respectfully traversed for at least the following reasons.

Neither reference discloses or suggests that fibers are loosely held during an end grinding or end rounding process. Boucherie '163 teaches away from such a method, clearly stating that "It should be understood that, as seen in FIGS. 1, 2 and 3, the bundle [of fibers] is clamped radially at a predetermined distance from the free ends of the fibre." (Boucherie '163; col. 2, lines 55-57).

Moreover, neither reference discloses or suggests that a length of the fiber ends between the holder and the processing equipment is varied during an end grinding process. Boucherie '408 provides no details of an end rounding or grinding process, while Boucherie '163 teaches that the fibers are clamped at a predetermined (not a variable) distance.

Therefore, these references fail to form a prima facie case of obviousness of claim 1. Accordingly, it is respectfully submitted that claim 1 is allowable over the cited references, and withdrawal of the rejection is requested.

Conclusion

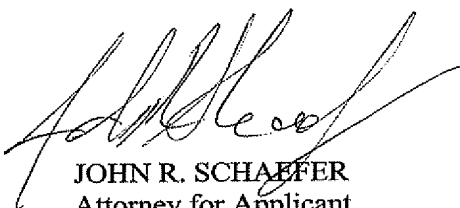
In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 1, 2, 4, and 6-20 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314-1176
Phone: (703) 683-0500

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Respectfully submitted,



JOHN R. SCHAEFFER
Attorney for Applicant
Registration No. 47,921